

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD – Allegations of misappropriation by the Dy.EE, RWS&S, Manthani, Karimnagar District in the funds deposited by the A.P. GENCO - Sri S. Sirajuddin Arif, the then Dy. Executive Engineer, RWS&S Sub-Division, Manthani and now Executive Engineer, RWS&S, Division, Adilabad – Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IA) DEPARTMENT

G.O.Rt.No. 1970 .

Dated:31.10.2012

ORDER:

It is proposed to hold an enquiry against Sri S. Sirajuddin Arif, the then Dy. Executive Engineer, RWS&S Sub-Division, Manthani and now Executive Engineer, RWS&S, Division, Adilabad, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri S. Sirajuddin Arif, the then Dy. Executive Engineer, RWS&S Sub-Division, Manthani and now Executive Engineer, RWS&S, Division, Adilabad, is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri S. Sirajuddin Arif, the then Dy. Executive Engineer, RWS&S Sub-Division, Manthani and now Executive Engineer, RWS&S, Division, Adilabad, is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri S. Sirajuddin Arif, the then Dy. Executive Engineer, RWS&S Sub-Division, Manthani and now Executive Engineer, RWS&S, Division, Adilabad is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri S. Sirajuddin Arif, the then Dy. Executive Engineer, RWS&S Sub-Division, Manthani and now Executive Engineer, RWS&S, Division, Adilabad is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri S. Sirajuddin Arif, the then Dy. Executive Engineer, RWS&S Sub-Division, Manthani and now Executive Engineer, RWS&S, Division, Adilabad is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

VIKAS RAJ
SECRETARY TO GOVERNMENT (RWS&S)

To
Sri S. Sirajuddin Arif, the then Dy. Executive Engineer, RWS&S Sub-Division,
Manthani and now Executive Engineer, RWS&S, Division, Adilabad through
the Engineer-in-Chief, RWS&S, Hyderabad.

The Engineer-in-Chief, RWS &S, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The PR&RD (Estt.I) Department.

The G.A.(V&E) Dept. (w.r.t Vigilance Report No.57(1199/V&E/E1/2008), dt.
25.07.2012)

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SECTION OFFICER

ANNEXURE-I

(Annexure to G.O.Rt.No , 1970 PR&RD (Vig.IA) Dept., dt.31.10.2012)

STATEMENT OF ARTICLE OF CHARGES AGAINST SRI S. SIRAJUDDIN ARIF, THE THEN DEPUTY EXECUTIVE ENGINEER, RWS&S SUB-DIVISION, MANTHANI AND NOW EXECUTIVE ENGINEER, RWS&S DIVISION, ADILABAD.

CHARGE-1:

That Sri S. Sirajuddin Arif, the then Dy. Executive Engineer, RWS&S Sub-Division, Manthani and now Executive Engineer, RWS&S, Division, Adilabad has failed to follow the Departmental norms in execution of works.

Basis:

As per the Vigilance Report No.57(1199/V&E/E1/2008) dt.25.07.2012 of G.A. (V&E) Dept., Sri Sirajuddin Arif, the then Dy.EE now EE in his letter dt.19.03.2008 represented to the E.E., RWS&S, Manthani that the works are to be executed on war footing basis to avoid drinking water problem. But as per the report of V&E the works mentioned are not in urgent nature or of special nature. His action for obtaining permission to execute above works departmentally is irregular and against to the Para 150 of APWD Code and G.O.Ms No. 589, PR&RD, dt.29.08.1989. From this, it is evident that he misappropriated the amounts and violated Rule (3) of A.P.C.S (CC&A) Rules, 1964.

Hence the charge.

CHARGE-2:

That Sri S. Sirajuddin Arif, while working as Dy.EE, RWS&S, Manthani, has issued temporary advance to the A.E is irregular and against the APWD Code.

Basis:

As per the Vigilance Report No.57(1199/V&E/E1/2008) dt.25.07.2012 of G.A. (V&E) Dept., Sri Sirajuddin Arif, the then Dy.EE now EE, has received DDs from APGENCO for Rs. 18.58 lakhs in two installments of Rs.10.00 lakhs and Rs. 8.58 lakhs towards works taken up under departmental execution. The amount was deposited in the bank account which is in the name of the Dy.E.E in his official capacity. As per the acquittance register and pass book entries an amount of Rs.15.475 lakhs was drawn as temporary advance before 30.05.2008. Issuing temporary advance of huge amounts to the A.E is irregular and against to Para 172 of the APWA Code. He also not maintained any account on material transactions. Before adjustment of temporary advance, the Departmental Quality Control wing has to conduct inspection and issue certificate. But the Dy.E.E has failed to do so due to which pecuniary loss caused to the Govt. Exchequer. From this, it is evident that he misappropriated the amounts and violated Rule (3) of A.P.C.S (CC&A) Rules, 1964.

Hence the charge.

CHARGE-3:

That Sri S. Sirajuddin Arif, while working as Dy.EE, RWS&S, Manthani has recorded the excess measurements duly adopting the rates for supply of PVC Pipes as per new SSR 2008-09 which was effective from 30.05.2008 and resulting excess payment.

Basis:

As per the Vigilance Report No.57(1199/V&E/E1/2008) dt.25.07.2012 of G.A. (V&E) Dept., Sri Sirajuddin Arif, the then Dy.EE now EE, has check measured the excess measurements recorded by Sri D. Rajalingaiah, A.E duly adopting the rates for supply of PVC Pipes as per new SSR 2008-09 which was effective from 30.05.2008. The measurements recorded in the month of June, 2008 but the amount adjusted from temporary advance before 30.05.2008.

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Due to allowing the rate of PVC Pipes as per SSR 2008-2009 by the Dy. EE an amount of Rs.2,48,729/- loss to the Govt. Exchequer. From this, it is evident that he has shown gross negligence towards his legitimate duties and failed in supervision which is in violation of Rule (3) of A.P.C.S (CC&A) Rules, 1964.

Hence the charge.

CHARGE-4:

That Sri S. Sirajuddin Arif, while working as Dy.EE, RWS&S, Manthani, has failed to prepare the estimates as per ground reality which results abnormal deviations occurred in the work for which an amount of Rs. 3,01,735/- loss to the Govt.

Basis:

As per the Vigilance Report No.57(1199/V&E/E1/2008) dt.25.07.2012 of G.A. (V&E) Dept., Sri Sirajuddin Arif, the then Dy.E.E now E.E, has failed to prepare the working estimates as per original technical sanction for the works accorded with SSR 2007-2008, but the working estimate was approved duly deleting the provisions of drilling of bore wells for hand pumps and decreasing the dia meter of pipe line length of pipelines and sand cushion below pipeline due to which some deficiencies occurred. Further, during the inspection of V&E officials, it is observed that the measurements recorded by the AE and check measured by him, there is a short fall in depth of bore wells, shortfall of G.I pipes and no sand cushion was provided. An amount of Rs 3,01,735 /- worked out and proposed recovery by the V&E officials towards shortfall. Due to the above irregular action of the Dy.E.E., an amount of Rs. 3,01,735/- loss to the Govt Exchequer. From this, it is evident that he has shown gross negligence towards his legitimate duties and failed in supervision which is in violation of Rule (3) of APCS (CC&A) Rules, 1964.

Hence the charge.

VIKAS RAJ
SECRETARY TO GOVERNMENT (RWS&S)

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SECTION OFFICER

ANNEXURE-II

(Annexure to G.O.Rt.No. 1970 , PR&RD (Vig.IA) Dept., dt. 31.10.2012)

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES ARE PROPOSED TO BE SUSTAINED AGAINST SRI S. SIRAJUDDIN ARIF, THE THEN DEPUTY EXECUTIVE ENGINEER, RWS&S SUB-DIVISION, MANTHANI AND NOW EXECUTIVE ENGINEER, RWS&S DIVISION, ADILABAD.

Vigilance Report No.57 (1199/V&E/E1/2008), dt. 25.07.2012 of G.A. (V&E)
Dept.

VIKAS RAJ
SECRETARY TO GOVERNMENT (RWS&S)

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SECTION OFFICER

ANNEXURE-III

(Annexure to G.O.Rt.No. 1970 , PR&RD (Vig.IA) Dept., dt.30.10.2012)

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES ARE PROPOSED TO BE SUSTAINED AGAINST SRI S. SIRAJUDDIN ARIF, THE THEN DEPUTY EXECUTIVE ENGINEER, RWS&S SUB-DIVISION, MANTHANI AND NOW EXECUTIVE ENGINEER, RWS&S DIVISION, ADILABAD.

- NIL -

VIKAS RAJ
SECRETARY TO GOVERNMENT (RWS&S)

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